Electronically filed August 8, 2007 1 Marc A. Levinson (California Bar No. 57613) Bob L. Olson (Nevada Bar No. 3783) Jeffery D. Hermann (California Bar No. 90445) Anne M. Loraditch (Nevada Bar No. 8164) 2 ORRICK, HERRINGTON & SUTCLIFFE LLP BECKLEY SINGLETON, CHARTERED 400 Capitol Mall, Suite 3000 530 Las Vegas Boulevard South 3 Sacramento, CA 95814-4497 Las Vegas, NV 89101 Telephone: (916) 447-9200 Telephone: (702) 385-3373 4 Facsimile: (916) 329-4900 Facsimile: (702) 385-5024 5 malevinson@orrick.com; bolson@beckleylaw.com; Email: Email: jhermann@orrick.com aloraditch@beckleylaw.com 6 Attorneys for Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC 7 UNITED STATES BANKRUPTCY COURT 8 9 DISTRICT OF NEVADA 10 In re: Case No. BK-S-06-10725 LBR USA COMMERCIAL MORTGAGE COMPANY, Case No. BK-S-06-10726 LBR 11 Case No. BK-S-06-10727 LBR USA CAPITAL REALTY ADVISORS, LLC. Case No. BK-S-06-10728 LBR 12 Case No. BK-S-06-10729 LBR USA CAPITAL DIVERSIFIED TRUST DEED 13 FUND, LLC, Chapter 11 14 USA CAPITAL FIRST TRUST DEED FUND, LLC, Jointly Administered Under 15 Case No. BK-S-06-10725-LBR USA SECURITIES, LLC, 16 NOTICE OF ENTRY OF ORDER Debtors. SUSTAINING THIRD OMNIBUS 17 **OBJECTION OF POST-EFFECTIVE** DATE USA CAPITAL DIVERSIFIED 18 TRUST DEED FUND, LLC, TO PROOFS OF INTEREST 19 Affects: ☐ All Debtors 20 Hearing Date: July 27, 2007 ☐ USA Commercial Mortgage Company Hearing Time: 9:30 a.m. ☐ USA Securities, LLC 21 Hearing Place: Courtroom 1 ☐ USA Capital Realty Advisors, LLC USA Capital Diversified Trust Deed Fund, LLC 22 ☐ USA First Trust Deed Fund, LLC 23 24 PLEASE TAKE NOTICE that on the 7th day of August 2007, the Court entered its 25 Order Sustaining Third Omnibus Objection of Post-Effective Date USA Capital Diversified 26 /// 27 /// 28 {00413612;} Page - 1 - of 2

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1	Trust Deed Fund, LLC to Proofs of Interest, a true and correct copy of which is attached hereto.
2	DATED this 8th day of August 2007.
3	BECKLEY SINGLETON, CHTD.
4	
5	By: /s/ Anne M. Loraditch
6	Bob L. Olson, Esq. (NV Bar No. 3783) Anne Loraditch, Esq. (NV Bar No. 8164)
7	530 Las Vegas Boulevard South Las Vegas, NV 89101
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9	Attorneys for USA Capital Diversified Trust Deed Fund, LLC
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Case 06-10725-gwz Doc 4428 Entered 08/08/07 14:18:29 Page 3 of 10 Case: 06-10725-lbr Doc #: 4418 Filed: 08/07/2007 Page: 1 of 8 1 2 3 **Entered on Docket** August 07, 2007 4 Hon, Linda B. Riegle **United States Bankruptcy Judge** 5 Marc A. Levinson (California Bar No. 57613) Bob L. Olson (Nevada Bar No. 3783) 6 Jeffery D. Hermann (California Bar No. 90445) Anne M. Loraditch (Nevada Bar No. 8164) ORRICK, HERRINGTON & SUTCLIFFE LLP BECKLEY SINGLETON, CHARTERED 7 400 Capitol Mall, Suite 3000 530 Las Vegas Boulevard South Sacramento, CA 95814-4497 8 Las Vegas, NV 89101 Telephone: (916) 447-9200 Telephone: (702) 385-3373 9 Facsimile: (916) 329-4900 Facsimile: (702) 385-5024 Email: malevinson@orrick.com; Email: bolson@beckleylaw.com; 10 ihermann@orrick.com aloraditch@beckleylaw.com 11 Attorneys for Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC 12 UNITED STATES BANKRUPTCY COURT 13 DISTRICT OF NEVADA 14 In re: Case No. BK-S-06-10725 LBR 15 USA COMMERCIAL MORTGAGE COMPANY, Case No. BK-S-06-10726 LBR Debtor. Case No. BK-S-06-10727 LBR 16 In re: Case No. BK-S-06-10728 LBR USA CAPITAL REALTY ADVISORS, LLC, Case No. BK-S-06-10729 LBR 17 Debtor. In re: 18 Chapter 11 USA CAPITAL DIVERSIFIED TRUST DEED 19 FUND, LLC, Jointly Administered Under Debtor. Case No. BK-S-06-10725-LBR 20 In re: USA CAPITAL FIRST TRUST DEED FUND, LLC, ORDER SUSTAINING THIRD 21 Debtor. **OMNIBUS OBJECTION OF POST-**In re: EFFECTIVE DATE USA CAPITAL 22 USA SECURITIES, LLC, DIVERSIFIED TRUST DEED FUND. LLC, TO PROOFS OF INTEREST Debtor. 23 Affects: ☐ All Debtors 24 Hearing Date: July 27, 2007 ☐ USA Commercial Mortgage Company Hearing Time: 9:30 a.m. 25 ☐ USA Securities, LLC Hearing Place: Courtroom 1 ☐ USA Capital Realty Advisors, LLC 26 ■ USA Capital Diversified Trust Deed Fund, LLC ☐ USA First Trust Deed Fund, LLC 27 28

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1 The Court, having considered the Third Omnibus Objection of Post-Effective Date USA Capital Diversified Trust Deed Fund, LLC to Proofs of Interest (the "Objection"), Anne M. 2 3 Loraditch, of the law firm of Beckley Singleton, Chtd., appearing on behalf of Post-Effective 4 Date USA Capital Diversified Trust Deed Fund, LLC; with no other appearances being noted on 5 the record; appropriate notice of the Objection having been given; and for good cause appearing: 6 IT IS HEREBY ORDERED that the Objection is sustained. 7 IT IS FURTHER ORDERED that the interests listed on Exhibit 1, attached hereto and 8 made a part hereof, shall be treated in accordance with the disposition detailed on Exhibit 1 with 9 respect to such interests. 10 PREPARED AND RESPECTFULLY SUBMITTED BY: 11 BECKLEY SINGLETON, CHTD. 12 By/s/ Anne M. Loraditch BOB L. OLSON, ESQ. 13 Nevada Bar No. 3859 ANNE M. LORADITCH, ESO. 14 Nevada Bar No. 8164 15 530 Las Vegas Boulevard South Las Vegas, Nevada 89101 16 and 17 18 ORRICK, HERRINGTON & SUTCLIFFE LLP Marc A. Levinson (California Bar No. 57613) 19 Rachel Ragni (California Bar No. 214061) 400 Capitol Mall, Suite 3000 20 Sacramento, California 95814-4497 21 Attorneys for Post-Effective Date USA Capital 22 Diversified Trust Deed Fund, LLC 23 24 25 26 27

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Doc #: 4418

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1			RULE 9	021 DECLARATION	I
2	In acc	ordance with Loc	•	undersigned certifies:	
3	_				
4		I have delivered	ed the requirement a copy of the pro	s of LR 9021. posed order to the Of	fice of the United States Trustee
5		and the parties noted above, and	who filed papers is	n response to the Obje	ection or appeared at the hearing
6		☐ approve	ed the form of this	order; and/or	
7		☐ failed to	the right to review of file and serve par	ers in accordance with	n LR 9021(c); and
8		the follo	owing have disapp /a	roved the form of the o	order:
9	X	No parties file	d any written op	position or appeared ppointed in the case.	at the hearing regarding the
10					
11			F	BECKLEY SINGLETON,	CHARTERED
12			F	By: /s/ Anne M Anne M Loraditch	Loraditch (Nevada Bar No. 8164)
13				530 Las Vegas Bou Las Vegas, Nevada	levard South
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EXHIBIT 1

Proof o		Acct ID#	Date of Proof of	Asserted Equity	Amount of Equity	Disposition
No.	Holder		Interest	Interest	Interest Per	
				Amount	Debtors' Records	
005	Robert	951	09/25/06	\$135,938.86	\$130,629.97	Interest disallowed
	Knight					to the extent it
		1				exceeds
						\$130,629.97, which is the amount of the
						filing Party's equity
						interest in
						Diversified as of the
				Ì		Petition Date, as
						reflected in
						Diversified's books
192	David	13505	12/11/06	#70.267.00	### DOC 75	and records.
172	Knobel	13303	12/11/06	\$78,367.29	\$75,306.77	Interest disallowed
	12110001					to the extent it
						exceeds \$75,306.77, which is the amount
						of the filing Party's
					·	equity interest in
		ĺ				Diversified as of the
						Petition Date, as
						reflected in
						Diversified's books
189	William	16027/	12/06/06	\$655,584.00	\$96,094.64	and records.
- 4,5	McQuerry	18671	12/00/00	\$055,564.00	\$90,094.04	Interest disallowed to the extent it
						exceeds \$96,094.64,
						which is the amount
						of the filing Party's
						equity interest in
						Diversified as of the
						Petition Date, as
						reflected in Diversified's books
					İ	and records.
						and records,

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1	Proof of	Equity	Acct	Date of	Asserted	Amount of	Disposition
2	Interest	Interest	ID#	Proof of	Equity	Equity	
	No.	Holder		Interest	Interest	Interest Per	
3	Len Ex.				Amount	Debtors' Records	
4	180	Anthony	2079	11/15/06	\$25,000.00	\$24,023.66	Interest disallowed
5		and Alicia					to the extent it
		Pasqualotto					exceeds \$24,023.66,
6							which is the amount
7							of the filing Party's
/							equity interest in Diversified as of the
8							Petition Date, as
							reflected in
9							Diversified's books
10						+	and records.
	115	Norman	13762	11/09/06	\$49,027.18	\$48,047.32	Interest disallowed
11		Kenneth			i		to the extent it
12		Reed					exceeds \$48,047.32,
12							which is the amount
13		:					of the filing Party's
							equity interest in
14							Diversified as of the Petition Date, as
15							reflected in
					į		Diversified's books
16							and records.
17	190	Michael H.	18138	12/08/06	\$100,000.00	\$96,094.65	Interest disallowed
17		Ricci	}				to the extent it
18				ļ			exceeds \$96,094.65,
10							which is the amount
19							of the filing Party's
20							equity interest in
							Diversified as of the Petition Date, as
21							reflected in
22			j				Diversified's books
ľ		j					and records.
		i		1			
23				j		}	1
23 24							

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1	Proof of	Equity	Acct	Date of	Asserted	Amount of	Disposition
2	Interest	Interest	ID#	Proof of	Equity :	Equity	h hishosmon
2	No.	Holder		Interest	Interest	Interest Per	
3					Amount	Debtors' Records	
4	191	Michael H.	11384	12/08/06	\$36,058.88	\$34,650.65	Interest disallowed
5		Ricci					to the extent it
,			1				exceeds \$34,650.65,
6							which is the amount
~	H						of the filing Party's
7							equity interest in
8							Diversified as of the
			1				Petition Date, as
9							reflected in
10							Diversified's books and records.
10	080	Alvin	4638	10/26/06	\$24,708.00	\$24,023.66	Interest disallowed
11		Rousseau	-		42.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Ψ21,025.00	to the extent it
							exceeds \$24,023.66,
12	[]						which is the amount
13	 						of the filing Party's
13							equity interest in
14							Diversified as of the
1.5			}	i			Petition Date, as
15							reflected in
16	[Diversified's books
	018	Robert	17071	11/10/06	\$50,000,00	006 461 76	and records.
17		and/or	1/0/1	11/10/00	\$50,000.00	\$26,461.76	Interest disallowed
18		Ruth	ļ				to the extent it
10		Geiger	1				exceeds \$26,461.76, which is the amount
19							of the filing Party's
•				1			equity interest in
20							Diversified as of the
21							Petition Date, as
				İ			reflected in
22		į		{			Diversified's books
23							and records.
23							
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1	Proof of	Equity	Acct	Date of	Asserted	Amount of	1 Diamental 1
•	Interest	Interest	ID#	Proof of	Equity	Equity	Disposition
2	No.	Holder		Interest	Interest	Interest Per	
3					Amount	Debtors' Records	
4	033	Lucie E.	17016	09/28/06	\$25,000.00	\$24,023.66	Interest disallowed
5		Staislawski					to the extent it
J							exceeds \$24,023.66,
6							which is the amount
7	1						of the filing Party's
7							equity interest in Diversified as of the
8				u.			Petition Date, as
•							reflected in
9							Diversified's books
10				***			and records.
	037	Clifford	9653	10/04/06	\$150,000.00	\$144,141.97	Interest disallowed
11		Wiehe, Jr.					to the extent it
12							exceeds
·							\$144,141.97, which
13							is the amount of the filing Party's equity
14							interest in
14							Diversified as of the
15		ļ					Petition Date, as
1.0							reflected in
16							Diversified's books
17	043	William T.	11107	00/06/06	# 50,000,00		and records.
	043	Houston	11127	09/26/06	\$50,000.00	\$48,047.32	Interest disallowed
18		Housion					to the extent it
19			Ì				exceeds \$48,047.32, which is the amount
İ							of the filing Party's
20							equity interest in
21							Diversified as of the
l							Petition Date, as
22							reflected in
23							Diversified's books
ديد							and records.
24							
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1	Proof of	Equity	Acct	Date of	Asserted	Amount of	Disposition
2	Interest	Interest	ID#	Proof of	Equity	Equity	
	No.	Holder		Interest	Interest	Interest Per	
3					Amount	Debtors'	
	1.57		10474			Records	
4	157	Stan C.	18171	11/13/06	\$25,116.41	\$24,135.53	Interest disallowed
5	 	Wolken					to the extent it
	i						exceeds \$24,135.53,
6							which is the amount
7							of the filing Party's
7			1				equity interest in
8			ļ				Diversified as of the
							Petition Date, as reflected in
9							Diversified's books
10							and records.
10	150	Stan C.	16527	11/13/06	\$25,937.73	\$24,924.77	Interest disallowed
11		Wolken			,		to the extent it
10							exceeds \$24,924.77,
12							which is the amount
13							of the filing Party's
							equity interest in
14							Diversified as of the
15],						Petition Date, as
13							reflected in
16							Diversified's books
	188	Loughlin	No	11/7/06	\$1,055,000.00	None	and records. Interest disallowed
17		Family	Record	11,7,00	Ψ1,055,000.00	None	in its entirety, as
18		Trust					Party is not reflected
							as having an equity
19	-						interest in
20		ĺ	ĺ	,			Diversified as of the
20						}	Petition Date, as
21							reflected in
							Diversified's books
22							and records.
23	L						
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